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Liane M. Malcos
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Xinnian Dong et al.	Art Unit:	1638
Serial No.:	08/908,884	Examiner:	Anne R. Kubelik
Filed:	August 8, 1997	Customer No.:	21559
Title:	NUCLEIC ACIDS ENCODING A PROTEIN THAT CONFERS RESISTANCE TO A PLANT PATHOGEN AND USES THEREOF		

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NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 C.F.R. § 41.31

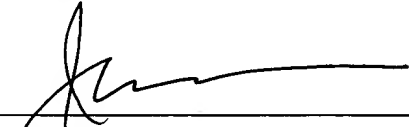
Applicants respectfully appeal to the Board of Patent Appeals and Interferences from the decision dated May 26, 2005, in which the Office finally rejected claims 1, 2, 4-13, 15-29, 36, 40-42, and 47-54 of the above-captioned patent application.

Enclosed pursuant to 37 C.F.R. § 1.136 is a Petition to extend the period for replying to the final rejection for three months, to and including November 28, 2005, as November 26, 2005, was a Saturday.

Also enclosed is a check in the amount of \$250.00 for the fee required by 37 C.F.R. § 41.20(b)(1) for this Notice of Appeal. If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 28 November 2005



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